

Minutes for Application Review Committee, Stamford Harbor Commission, Tuesday, August 2, 2016, Operations Conference Room, Tenth Floor, Stamford Government Center, 888 Washington Boulevard, Stamford, Ct 06901.

The meeting was called to order by Committee Chairman Griffith Trow, Chairman at 6:20 PM.

In attendance: Commissioner Robert Karp, Commissioner Paul Adelberg, Chairman Trow, HMC Chairman Dr. Damian Ortelli, Alternate Mike Pensiero, Geoffrey Steadman, HMC professional consultant, Frank M. Fedeli, HMC Administrator and Thomas Madden, Director of Economic Development, City of Stamford.

Chairman Trow and Mr. Pensiero reviewed and moved the minutes for the ARC meeting of July 5, 2016 forward for approval. Approved 3-0-1.

Item 3. Certificate of Permission, Baypointe Public Walkway, 112 Southfield Avenue, to construct a public walkway connection, moved to Item 7, last on the agenda because of its complexity.

This proposal, if approved, would create the final public access walkway on the west side of the West Branch of Stamford Harbor. The walkway would stretch from the front of the Crab Shell restaurant to the end of the Avalon public area and walkway just north of John Boccuzzi Park (formerly Southfield Park).

It was pointed out by Mr. Fedeli and Commissioner Karp that most of the public walkway was completed and the walkway, in its entirety, was a condition for approval of the BayPointe Apartment complex. And the mandatory creation of the walkway, to guarantee public access, dates back more than thirty (30) years).

There were questions and some confusion as to the size of the gap between the Avalon property and the Baypointe property and what was needed to close it.

During the committee's discussion, it was pointed out that the last piece of walkway had stalled because of objections of a nearby high rise condominium association

Commissioner Karp questioned if the HMC has jurisdiction over this project to complete the walkway. Chairman Trow strongly stated that the HMC does have jurisdiction because it is a water related use and makes public access to the waterfront possible and the Harbor Management Plan supports public access to and along the waterfront.

Commissioner Adelberg stated that his understanding of the entire walkway is to make public access "in perpetuity."

Geoffrey Steadman recommended that the commission make inquiries about the public walkway's connections to the Zoning Board staff and Mr. William Hennessey, attorney for Baypointe, who has been trying to complete the walkway connection.

Item 4. Referral of CSPR-1012 –Lorraine and Curt Anastasio , 224 Dolphin Cove Quay, proposed living area addition, PROPERTY IS LOCATED IN THE CAM BOUNDARY moved to Item 3 on the agenda.

Commissioner Adelberg, Dolphin Cove resident, told the committee that the Dolphin Cove Association reviewed this application first and applied stringent stipulations on this and other such applications. He emphasized that the applicant's living area addition must be within the home's original footprint.

After some general discussion by all, it was agreed that this application does not impact the Harbor Management Area and should simply follow all best management practices for construction and all city codes. Chairman Ortelli recommended that this application be forwarded to the full commission, noting that the application has no impact on the Harbor Management Area and therefore the commission does not need to make a specific recommendation but could state that applicant should adhere to best management practices and city codes and this sort of general recommendations would apply also to similar applications.

Motion was made by Commissioner Adelberg and second by Commissioner Karp. Unanimously approved.

Item 5. Referral of CSPR-1015 – Pamela Murphy, 145 Ocean Drive West, proposed construction of a new addition along with a new walk and elevated patio moved to Item 4.

Commissioner Karp said the proposal describes 14,090 square feet of improvements in a flood zone in the coastal area. As this proposal may have a more significant impact on the Harbor Management Area, HMC Chairman Damian Ortelli suggested that it be tabled and reviewed by the entire commission.

Item 6. Referral of CSPR -1013 – Ramon and Graciela Hernandez, 19 Albin Road proposing to extend kitchen and dining room areas and adding a master bedroom and bathroom on second floor of the extension moved to Item 5.. This will consist of relocating an existing bathroom and laundry room.

It was noted by all that 15 Albin Road is not close to shoreline in that Cove neighborhood.

Discussion followed in which it was determined that the proposal would not affect the Harbor Management Area.

Motion to acknowledge location in coastal area but to provide no comment made by Commissioner Adelberg and seconded by Commissioner Karp. Unanimously approved.

It was noted by ARC Chairman Trow that referrals such as CSPR 1012, 1013 and similar simple requests that do not have an impact on coastal resources or do not involve the Harbor Management Plan could be placed on a consent agenda by the ARC for consideration by the full Harbor Commission.

Item 7. Referral of CSPR -1015 – 145 Ocean Drive East, proposed lower level extension of family room- approx. 7 feet by 20 feet six inches moved to Item 6.

After some discussion, it was noted that this proposal would have no impact on the harbor Management Area.

Motion to to acknowledge location in coastal area but to provide no comment made by Commissioner Adelberg and seconded by Commissioner Karp – Unanimously approved.

Item 8. New Business:

There was general discussion about the Nussbaum public access case and a public hearing pertaining to it at the Government Center. The meeting is scheduled for Thursday, August 4, 2016 at 6:30 p.m. in the Training Room, sixth floor Stamford Government Center.

In essence the state DEEP and the Stamford Harbor Commission have determined that Mr. Nussbaum's erection of a fence that ended in Stamford Harbor blocks public access from a nearby public area located at the end of Hobson Street, next to the Nussbaum residence. Mr. Fedeli said he would attend the meeting with Geoffrey Steadman to read into the record the previous Harbor Management Commission letter stating that the fence violates the Harbor Master Plan by blocking public access to the water.

Item 9. The next scheduled meeting is on Tuesday, September 6, 2016.

Commissioner Adelberg made a motion to adjourn at 7:57p.m.
Seconded by Commissioner Karp Approved Unanimously

Respectfully submitted, Frank M. Fedeli, Customer Services Supervisor, Administrator, Stamford Harbor Commission